



OREGON YOUTH AUTHORITY



Policy Statement

Part III – Youth Services (Community)

Subject:

New Commitments to OYA Legal Custody

Section – Policy Number:

B: Intake – 2.0

Supersedes:

- III-B-2.0 (06/21)
- III-B-2.0 (01/20)
- III-B-2.0 (12/17)
- III-B-2.0 (01/07)
- III-E-3.5 (06/03)

Effective Date:

10/26/2023

Date of Last

Review/Revision:

None

Related Standards and References:

- [ORS 137.707](#) (Mandatory minimum sentences for certain juvenile offenders waived to adult court; lesser included offenses; return to juvenile court)
- [ORS 419C.478 \(Commitment to Oregon Youth Authority or Department of Human Services\)](#)
- [ORS 419C.486 \(Consideration of recommendations of committing court; case planning\)](#)
- [ORS 419C.495 \(When commitment to youth correction facility authorized\)](#)
- [ORS 419C.501 \(Duration of disposition\)](#)
- [OAR 416-105 \(Disclosure of Youth in Custody Case Record Information\)](#)
- [OYA policy: I-A-11.0 Assessment, Multidisciplinary Teams, and Case Planning](#)
- [OYA forms:](#) YA 1041 Court Commitment Order
YA 1303 Youth Rights and Grievance Process Notification
YA 3160 Private Health Insurance
- [OYA Multidisciplinary Team \(MDT\) Standards Manual](#)
- [JJIS forms:](#) YA 3000 Field New Commitment Checklist
YA 3001 Juvenile Parole/Probation Agreement
YA 3002 Case Plan Report
YA 3003 Transition Case Plan
YA 3004 Referral Case Plan
YA 3005 Case Plan History
YA 3014 Initial Parent Letter; YA 3014SP - Spanish
YA 3018 Placement Committee Recommendation
YA 3000OS Field OS2 New Commitment Checklist
- JJIS policy: [Inter-Jurisdiction Transition Points](#)
- OYA Top Things for Families to Know brochures:
[English – Facilities](#) [English - Community](#)
[Spanish – Facilities](#) [Spanish - Community](#)

Related Procedures:

- [COM III-B-2.0 New Commitments](#)

Policy Owner Community Services Assistant Director	Approved:  <hr/> Joseph O'Leary, Director
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I. PURPOSE:

This policy provides guidelines for gathering and documenting information for youth initially ordered by the court to the Oregon Youth Authority (OYA) legal custody. Case assignment and initial parental contact is also addressed. OYA general field procedures provide detail about the case management process.

II. POLICY DEFINITIONS:

Case plan: A formal plan with prescribed interventions and documentation requirements and a tool to assist staff in managing cases, setting goals and reviewing youth interventions and progress. A Case Plan is created and maintained in the statewide Juvenile Justice Information System (JJIS).

Juvenile Justice Information System (JJIS): An electronic information system developed and maintained by the state through the Oregon Youth Authority and administered in partnership with county juvenile departments.

Legal custody: A person, agency, or institution having legal custody of a youth as awarded by a court has the following duties and authority:

- (1) To have physical custody and control of the youth.
- (2) To supply the youth with food, clothing, shelter, and incidental necessities.
- (3) To provide the youth with care, education, and discipline.
- (4) To authorize ordinary medical, dental, psychiatric, psychological, hygienic, or other remedial care and treatment, and, in an emergency when the youth's safety appears urgently to require it, to authorize surgery or other extraordinary care.
- (5) To make such reports and to supply information to the court as required by the court.
- (6) To apply for any Social Security benefits or public assistance to which the youth is entitled and to use the benefits or assistance to pay for the care of the youth.

Multidisciplinary Team (MDT): A team of individuals who work collaboratively to develop and maintain a comprehensive individualized case plan that is culturally competent and gender-appropriate for each youth committed to OYA. The MDT is based on a core team membership consisting of the youth, OYA primary case manager, placement representative, QMHP (facility)/treatment provider (community), tribal representative (for youth enrolled in one of Oregon's federally recognized tribes) and the parents/guardians. Additional team members are identified by the core team based on the youth's Risk Needs Assessment, identified criminogenic needs and placement.

Substitute care: Out-of-home residential placement in the community for a youth that provides 24-hour-a-day care and treatment, including youth offender foster care homes, residential treatment programs, and transitional housing programs.

III. POLICY

OYA is dedicated to providing youth opportunities for positive change, developing, and improving skills, reducing the likelihood of future delinquent behavior, and promoting community as well as youth and staff safety. Staff focus on balancing youth accountability with promoting positive behavior change, matching services that meet each youth's individual and cultural needs, partnering with the youth's support system, and maintaining connections to the youth's community by using OYA's culture of Positive Human Development and the Developmental Approach to Parole and Probation model.

OYA has identified diversity, equity, and inclusion as an agency priority and initiative with a goal to build a respectful, diverse, equitable, and inclusive environment for youth and staff that is free from harassment, discrimination, and bias. Data shows youth of color and LGBTQ+ youth are disproportionately represented in the juvenile justice system. While OYA is only one part of that system, we play a critical role in addressing the historical and systemic inequities it perpetuates. OYA's responsibility for ensuring equity and inclusion for youth begins during a youth's new commitment process.

Staff must be aware of the potential for implicit bias when gathering, assessing, and documenting youth information. Using a consistent method in the process helps staff make appropriate program and treatment recommendations when developing comprehensive case plans. Additionally, a positive initial contact with the youth's parent/guardian is essential to building an open line of communication and productive working relationship.

IV. GENERAL STANDARDS:

- A. A youth may be ordered by the court into the legal custody of OYA when the youth is at least 12 but less than 19 years of age, adjudicated delinquent, and identified as needing out-of-home placement.

Admissions to a youth correction facility are limited to youth who are at least 12 but less than 19 years of age (or 20 years of age if adjudicated for a crime listed in ORS 137.707), and found by the juvenile court to have committed an act that if committed by an adult would constitute aggravated murder, murder, a felony or a Class A misdemeanor.

- B. The court may specify the type of care, supervision or services to be provided by OYA, which may include direct commitment to a youth correction facility.

The actual provision of the care, supervision, security or services is the responsibility of OYA.

- C. Local screening committees

A local screening committee may be used to review youth cases recommended for placement in OYA community substitute care or close-custody facilities. JJIS data-informed tools may be used to assist in

making these recommendations. These committees may be comprised of representatives from the local juvenile department, Department of Human Services (DHS), OYA, mental health agencies, and schools.

If OYA custody is recommended and the juvenile department refers the youth to substitute care, OYA staff must ensure that the referral is made prior to OYA commitment.

D. A co-management agreement may be used with community partners that identifies an effective process of transitioning youth to OYA and assists in identifying necessary information/documentation to ensure a smooth transition of supervision.

E. Caseload Assignment

1. Field supervisors must assign a JPPO to every youth committed to the legal or physical custody of OYA in their areas at the earliest point possible during the pre-commitment process, but at a minimum no later than two business days after commitment.

2. Field supervisors must use the OYA Equity Lens Guiding Principles when assigning cases to JPPOs. Case assignment is informed by many factors, including but not limited to:

- a) Matching youth risk and needs with JPPO background and experience;
- b) Youth and family needs (e.g., race, ethnicity, culture, gender, background);
- c) Youth and family's primary language;
- d) Experience, knowledge, and expertise of the JPPO;
- e) Demands on the JPPO's schedule (e.g., intensity of current caseload, travel, additional duties); and
- f) Other case specific variables (e.g., prior history with the youth's family, siblings, or codefendants).

3. Change in JPPO assignment

A youth, family, or JPPO may submit a verbal or written request to the field supervisor to change the assigned JPPO. The request may only be made more than once if there is a compelling reason and new information is available. The field supervisor may also initiate a change in JPPO assignment.

- a) The field supervisor must review each request and discuss thoroughly with the youth, family, and JPPO. A written decision must be sent to the youth and family within seven working days.

- b) On rare occasions, a new JPPO may be assigned when the field supervisor determines it is in the best interest of the youth or staff. Some reasons it may be in the best interest include, but are not limited to:
 - (1) Conflict of interest (e.g., JPPO has personal connection to youth, youth's family or support system);
 - (2) Staff safety (e.g., the youth or family threatened the JPPO);
 - (3) The relationship is not benefitting the youth (poor match); or
 - (4) The relationship cannot be mediated and is having a negative impact on the youth's success and the JPPO (strained relationship).
- c) A change in JPPO assignment may not be made due to the youth or family being dissatisfied with any specific decision made by the JPPO that follows applicable OYA policy or rules.
- d) The youth and family may discuss the decision of the field supervisor with OYA's chief of parole/probation operations or file a grievance in accordance with OYA policy [III-B-4.0 Youth Rights and Grievance](#).

F. Intake documentation

- 1. Staff must ensure a court order directs a youth's commitment to OYA legal custody when staff accept legal custody of the youth.
- 2. Staff must refer to the Field New Commitment Checklist (YA 3000) or Field OS2 New Commitment Checklist (YA 3000OS) to assist them in ensuring notifications, documentation, and JJIS information/updates are completed.
- 3. Field supervisors must verify that the court ordered expiration date of the youth's custody to OYA is consistent with ORS 419C.501 within 30 days of commitment. Any discrepancies must be resolved through a local process, or discussing with the OYA chief of parole/probation operations.
- 4. Staff must ensure a YA 3160 (Private Health Insurance) is completed as soon as possible for youth being placed in substitute care, which may include pre-commitment to OYA.

Staff must import the form into JJIS, and notify the Medicaid eligibility specialist of its completion.

5. Case plan information gathering

- a) When the court places a youth in the legal custody of OYA, staff will collect available information for a referral packet to residential programs or close-custody placement, and to develop an OYA case plan. Information collected may include:
- (1) History and Background Report, case plan or service plan from the county juvenile department or DHS;
 - (2) Prior court reports and court ordered conditions (e.g., restitution);
 - (3) Criminal behavior information;
 - (4) Copy of police report(s);
 - (5) Mental health, sex-offense specific, or substance use assessments;
 - (6) Psychological assessments;
 - (7) Neuropsychological assessments;
 - (8) Psychiatric assessments;
 - (9) Medical and medication information, if related to a condition that will need to be addressed or monitored;
 - (10) Current psychotropic medication prescriptions;
 - (11) Prior treatment summary and termination reports;
 - (12) School records;
 - (13) Social history;
 - (14) Victim statements;
 - (15) Tribal affiliation;
 - (16) Social security card;
 - (17) Birth certificate; and
 - (18) Picture identification.

- b) All youth committed to OYA custody and placed in substitute care must have an active case plan within 45 days of commitment. Case plans are developed and maintained in JJIS.
- c) Staff will refer to JJIS policy Inter-Jurisdiction Transition Points for expectations regarding data elements that must be maintained to foster quality case processing and data integrity.

G. Risk Needs Assessment

All youth committed to OYA custody must have an OYA Risk Needs Assessment (RNA) completed within 30 days of commitment. All RNAs must be recorded in JJIS.

- 1. OYA JPPOs must ensure the RNA is completed on all youth placed in a community placement.
- 2. OYA facility staff must complete the RNA on all youth committed to a close-custody facility.
- 3. Staff may refer to OYA policy I-A-11.0 Assessment, Multidisciplinary Teams, and Case Planning for more information regarding the RNA.

H. Case Planning

- 1. A Multidisciplinary Team (MDT) must develop a youth's initial comprehensive integrated case plan based on the needs identified in all assessments. See OYA policy I-A-11.0 Assessment, Multidisciplinary Teams, and Case Planning and [OYA Multidisciplinary Team Standards](#) manual.
- 2. Youth placed in a close-custody facility.

A JPPO must be assigned as the case manager. The JPPO must coordinate and collaborate with the intake case coordinator at the facility to collect needed information and documentation.

I. Updating the Case Plan

The case plan must be updated to provide the youth and the youth's family with clear expectations about which programs must be successfully completed by the youth while in OYA custody. (See OYA policy I-A-11.0 Assessment, Multidisciplinary Teams, and Case Planning.)

J. Collateral contacts

- 1. A parent orientation packet must be mailed to a youth's parents/guardians when the youth is placed in OYA custody. The

orientation information will be provided in the parent/guardian's preferred non-English language, if known and available.

- a) For youth placed in a community setting, field office staff must mail the parent orientation packet immediately upon the assignment of a JPPO.
- b) For youth placed in a close-custody facility, the facility staff must mail parent orientation packet immediately upon the youth's intake into MacLaren YCF or Oak Creek YCF.

2. Parent orientation packets must include at least the following:

- a) General information about OYA;
- b) Information on how to report abuse;
- c) Information concerning the grievance process;
- d) Pertinent OYA contact information; and
- e) Information on language and cultural services.

Most of this information is contained in document "Youth in the Community: Top Things for Families to Know" or "Youth in Close Custody: Top Things for Families to Know" documents.

3. Within 30 days of OYA commitment, the JPPO must make face-to-face contact with the parents/guardians of youth in OYA legal custody. At the time of this initial visit, the JPPO must review the parent orientation packet materials (community placement youth); gather information necessary for completion of the Risk/Needs Assessment and case plan; and review necessary forms for completeness.
4. Within 10 days of commitment to a facility, the JPPO must contact appropriate persons to gather information in support of case planning recommendations for youth in OYA custody. This information is supplemental to the referral information or a case plan provided by the committing juvenile department.

V. OYA GENERAL PROCEDURE REQUIRED: YES

The general Community Services procedure must contain the following information:

- A. Delineate timeframes for caseload assignment;
- B. Provide process for youth and parent/guardian contact and dissemination of information; and
- C. Provide instruction for use of OYA New Commitment Checklist.

VI. LOCAL OPERATING PROTOCOL REQUIRED: NO